

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/12/15

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

-against-

S7 98 Crim. 1023 (LAK)

KHALID AL FAWWAZ,

Defendant.
----- x

ORDER

LEWIS A. KAPLAN, *District Judge.*

Defendant moves for reconsideration of the Court's order (DI 1828) denying without prejudice his motion *in limine* (DI 1820) to preclude receipt in evidence of the so-called al Qaeda membership list on the ground that the government will be unable to lay a foundation for its receipt or, alternatively, to preclude the government from referring to the document during its opening statement.


Motions for reargument or reconsideration are appropriate only to bring to the court's attention facts or controlling authority that were overlooked by the court in rendering the decision addressed by the motion. They are not to be used for the purpose of expressing disagreement with a ruling or repeating arguments made and previously rejected. In short, a party seeking "reconsideration is not supposed to treat the court's initial decision as the opening of a dialogue." *De los Santos v. Fingerson*, No. 97 Civ. 3972 (MBM), 1998 WL 788781, at *1 (S.D.N.Y. Nov. 12, 1998).

Defendant has pointed to no facts or controlling authority that the Court is said to have overlooked. He simply reiterates points that, his motion for reconsideration expressly recognizes, he made before.

The motion (DI 1835) is denied.

SO ORDERED.

Dated: January 12, 2015



Lewis A. Kaplan
United States District Judge